EXHIBIT A TO COMPLAINT

An Editorial

They Should Resign...

LONG

SASSO

PATTEN

HALL

BRAKE

THE FIVE Metro commissioners who cleverly forced the resignation of County Manager Irving McNayr poorly served their community and themselves.

If they have any sense of decency about what they have done they will resign.

Their conduct was petty and childish. It reflected the immaturity of some species of politicians the people of Dade County must suffer because few grown-ups will seek public service.

THIS NEWSPAPER knows of a certainty that Friday's shady business was long planned by the ringleaders.

They contrived to "get McNayr," who would not stand for any foolishness from self-serving politicians and place-holders.

What they "got," however, was another ugly mark on the good name of this community, which had begun to shake off its reputation for unstable government.

Even now they are proposing to unload all manner of hacks and has-beens on Metro for managerial positions.

Fortunately, Hughlan Long, Tom Sasso, Arthur Patten, Chuck Hall and Bob Brake are only a minority.

It is more than coincidental that four of them represent districts, the worse source of Metro's ward politics.

★ ★ ★

UNFORTUNATELY, however, the Metro Charter provisions which govern the recall of office-holders would apply to only one of the five at this time. He is Commissioner Hall, and Chuck is hardly worth a special election — whatever he does.

Lacking a proper outlet for their indignation, the people can only demand that these five give back the trust which the public placed in them.

If they do not resign, then the majority of Metro should seek means of protecting this community against the sort of political sharp-dealing that is sapping its life as surely as it is destroying its honor.

★ ★ ★ ★ ★ ★ ★ ★ ★

EXHIBIT E TO COMPLAINT

The Miami Herald

JOHN S. KNIGHT, *Publisher* JAMES L. KNIGHT, *President*

LEE HILLS, *Executive Editor* ALVAH H. CHAPMAN Jr., *General Manager*

DON SHOEMAKER *Editor* GEORGE BEEBE *Managing Editor* JOHN D. PENNEKAMP *Associate Editor* ARTHUR J. GUCKER *Business Manager*

Published Daily at 200 S. Miami Avenue, Miami 30, Florida

6-A Tuesday, August 28, 1962

Their Target: The Romper Boys

The People: Good And Mad

IF YOU LIVE in Dade County you live in a community that is good and mad today—mad clear, clean through.

Its indignation finds voice in the storm of letters on this page and the next one. They were not solicited. They represent only a part of the first mail since a minority on Metro Commission jostled County Manager Irving McNayr into resigning.

We have never known this community to react to any public issue with such vigor and such unanimity. Taken together with a wave of telephone calls, it means one thing:

The people believe ever more firmly in Metro and resent any tampering with it by city hall politicians on the outside and anti-Metro commissioners on the inside.

By these and other means the Romper Boys know now that their childish display of pique against Mr. McNayr is a disservice to the very Charter which they swore to uphold.

* * *

THE ISSUE, of course, is a long advertised play for power by the political professionals.

A strong Charter and a strong county manager stood in their way.

With the help of a managed vote, the Charter was weakened and opened to jobbery.

With the phony issue of whether Mr. McNayr could speak out on "political" matters (i.e., defend the Charter that he, too, had promised to uphold), the Romper Boys succeeded in maneuvering him into a position from which there was no honorable retreat.

Who indeed would wish to serve with this bloc which does not want a strong manager but a weak sister?

* * *

IN THE USUAL haste and amidst the usual guff about a "local" county manager, efforts are being made to replace Irving McNayr.

We think it far more important to replace the Romper Boys, who do not seem to have the grace to resign, and to undo the wrongs of the Crandon amendments.

After that we can worry about getting a permanent county manager.

No man worthy of the name would hire out to Dade County in the present circumstances.

First it must set its own house in order.

* * *

AN EFFORT also is already under way to manufacture opinion in favor of the Messrs. Long, Sasso, Patten, Hall and Brake.

Unwary people are being asked to write letters to this newspaper by an anonymous telephone voice.

This will fail because it is false.

Here in our columns today the people speak their indignation by an overwhelming majority.

All is not lost.

Indeed, much may have been gained.

At long last Mr. and Mrs. Dade have come out of their corner, fighting mad.

They want good government.

They want it under Metro.

This is not the end, but the beginning.

Surprise, Boys

EXHIBIT H TO COMPLAINT

Darrey Davis And Mister Brake

THE ONE MAN who always played it straight and honest with the people he was working for is now under attack by Robert Brake and his gang of Metro-wreckers.

Darrey Davis, who served Dade as its county attorney seven years and pulled it through countless political assaults, is now accused of mishandling the Dupont Plaza Hotel suit that led to the court-ordered doubling of the tax roll. It is a credit to the mild manner and even temper of Mr. Davis that he only called the Brake Gang "political opportunists." He could have used sharper language with good cause.

Bob Brake is a lawyer and he should know the law. Instead of complaining that Darrey Davis didn't oppose the Dupont Plaza suit with enough "vigor," Mr. Brake should have acknowledged the facts.

When Bob Brake went on the Metro commission in 1962, the county was on notice to obey the Florida law on assessment. The court had been promised we would obey that law. But two more years were to go by while County Attorney Davis fought tax suits in the courts and pleaded with his own commissioners to achieve a tax roll that would satisfy the law. Over and over again he warned that he could not continue to hold off law suits filed by property owners who were carrying more than their fair share of the county tax load.

As Mr. Davis said this past weekend, "By reason of the 103 law suits attacking the county's tax rolls since 1961, it was apparent to everyone that someday the roll would be successfully challenged if it were not made to comply with the requirements of the Constitution and the statutes." If this were the first time Mr. Davis had said this, you would accuse him of most anything. But the county attorney said this back in 1961 and he kept repeating it. Where was Bob Brake and what was he doing as a Metro commissioner to make Dade County comply with the Florida assessment law?

The court-ordered assessment crisis has given hope to an irresponsible minority attempting to overturn the first stable commission government Dade has had since Metro was created. It is a sign of that irresponsibility when the reputation of Darrey Davis is attacked.

We refuse to believe that Metro can be wrecked on the issue of fair taxation ordered under Florida law.

The anti-Metro petitions now being circulated promise that the state law on the assessment of real estate will not be enforced.

Could anything be more dishonest?

EXHIBIT Q TO COMPLAINT

Robert Brake's Press Release, August 20, 1964

The County Attorney has written a memorandum purporting to explain the causes of Dade County's doubled tax roll. He implies tht the sole cause is Judge Smith's interpretation of Florida law.

On the contrary, the direct cause of the ruling of Judge Smith was the testimony of County Manager Irving McNayr and his two subordinates, Deputy Tax Assessor Elcook and Auditor A. J. Blake. But even more important is the fact that the testimony of all three men was not true.

1. The testimony of these three men was that a) Dade County had a uniform and equal tax roll, and b) that it was at 50% of just value. Since the law calls for full just value, Judge Smith had no choice but to enter the order directing that a roll be prepared which was at "full just value".

2. However, Mr. McNayr and his subordinates had several choices. They could have pointed out to Judge Smith—as McNayr and the Hunnicut report pointed out to the County Commission in April, 1964—that the tax roll was not equal. Even the Miami Herald and former County Attorney Darrey Davis admit that the roll is unequal and unfair. The *only* time that *anyone* ever said that Dade County's tax roll was fair and equal was in court—and the people who made such untrue statements are appointed and not subject to the vote of the people.

We have had an independent study made of Dade County's tax roll. Mr. Charles Kimball, who has had considerable experience in Dade County, has furnished us with documented proof that Dade's tax roll is unequal and unjust. A copy of his report is being distributed to all news media in Dade County.

The County Attorney is wrong when he says that we have no choice but to accept Judge Smith's order. It is true that the County failed to fight the Dupont case with vigor—even to the extent of failing to ask for a rehear-

ing. But a taxpayer's suit can be filed which will challenge the entire tax roll as being unjust and unequal.

Contrary to the County Attorney's memo, the number of homeowners dissatisfied with the McNayr assessment policy is not "less than 10%" but nearer 30%. It is that the Commission does nothing to help these people —until one remembers that they represent—and in some instances include—those who will financially benefit from the Commission's present, do-nothing policy.

We believe that the time has come for action. We believe that the injustices of the tax roll can be exposed and alleviated by a taxpayer's suit, and have directed the preparation of such a suit. We also believe that the only way to return government to the people is to make those officeholders who were responsible for such false testimony subject themselves to the vote of the people.

This—and not the trumped-up statements distributed by the mass media—is the reason for our actions.

COMMITTEE FOR RESPONSIBLE GOVERNMENT
August 20, 1964

EXHIBIT P TO COMPLAINT

Press Release of Charles Kimball

PART III THE VERDICT

The testimony of Irving McNayr, Samuel Elcook and A. J. Blake in the Dupont Plaza case is subjected to detailed analysis in the report I am releasing.

This study revealed a disparity between Court testimony and the facts. In publishing this study I was motivated by a dedication to fairness and truth coupled with a depressing dismay at the apparent dishonesty of certain public officials.

In testimony before Judge Smith, Mr. McNayr said he felt that the County tax assessor's office had come as close as reasonably possible in attaining an equalized tax roll. (Page 5) Mr. Elcook testified before Judge Smith that the roll had been equalized at only "slight deviations" (Page 6) and Mr. Blake, the County auditor, testified that the tax roll was no more than a percentage away from being equalized at 50%. (Page 6)

Using data collected from standard research procedures, I have concluded:

1) The larger hotels sold in the first half of 1964 are all over assessed and not one is assessed within $60,000 of market value. (Page 9)

2) A random sample of sales of service stations or sites shows that not one station is assessed within $20,000 of market price and all are under assessed. (Page 10)

3) Assessments in various subdivisions vary from 24% below recent market values to 18% above. (Page 12)

4) Assessments on undeveloped land generally are 40% of real value or lower. (Page 13)

5) Assessments on potential apartment sites are generally 40% of real value. (Page 14)

6) On the whole the tax roll is biased in favor of commercial properties and against homes. (Page 16)

7) 70-90% of homes in various parts of Dade County are over assessed. (Page 16)

8) A majority of industrial sites and plants are under assessed.

9) The assessment discriminates against industrial sites and plants in Hialeah, when compared with the rest of the county. (Page 18)

10) The tax assessment discriminates against apartments in Miami Beach and older structures. (Page 20)

While the tax roll on its face is decisively inequitable and has been constructed with complete disregard for recorded sales prices, the examination of the actual 1964 assessments reveals that the critical testimony of McNayr, Elcook, and Blake, and the commentary by Mr. Davis was absolutely without foundation.

The testimony that the 1964 tax roll reflected 50% valuations on a uniform and equal basis and current market prices is specious, untrue, and false. There was never and is not now tangible evidence to support the claim that acreage, improved property, or residences, were valued using the same formula. Realistically the tax roll is chaotic, discriminatory, unequal, and without uniformity.

A high degree of incompetence is decisively demonstrated.

EXHIBIT O TO COMPLAINT

Excerpt from "The McNayr Testimony"

Judge Smith's decision which resulted in the doubling of the tax roll was appealed but without success. County officials had testified that assessments were prepared with the same formula, one based on market value, and that it was applied uniformly to all types of property. Assessments varied only a "percentage". It is important to remember that the testimony of McNayr, Elcook, Blake, and the comments of Davis were *never substantiated* by any evidence, studies, surveys, or reports of any kind. The 1962 and 1963 samplings by Mr. Blake were *never exhibited*. Judge Smith's decision was based largely on the verbal conclusions of certain county officials he should

presume knew what they were talking about. The Hunnicut report, even though it contained no statistical studies, and which was at considerable variance with the statements of McNayr, Elcook, and Blake, was summarily downgraded and dismissed with no objections from the defense. In every respect the testimony of county officials totally confirmed charges in Sibley's initial petition. The only defense offered by Davis, that the new law necessitated further reviews of assessments, was fully negated by Elcook's testimony that full cash and just values were identical—obviously implying that no review was really necessary. In effect the county was without any defense and made no attempt to repel the petition. Instead, in a cordial atmosphere of sugary flattery, McNayr, Elcook, and Blake carefully and consistently cooperated in the construction of Mr. Sibley's "concrete" contentions.

The examination of the actual 1964 assessments reveals that the critical testimony of McNayr, Elcook, and Blake, and the commentary by Mr. Davis (quoted in Part I of this report), was absolutely without foundation. The testimony that the 1964 tax roll reflected 50% valuations of all taxable property on a uniform and equal basis, current market prices, is specious, untrue, and false. There was never and is not now tangible evidence to support the claim that acreage, improved property, or residences, were valued using the same formula. Realistically the tax roll is chaotic, discriminatory, unequal, and without uniformity.

While it may be that the county officials involved were ignorant of the true condition of the tax roll, if they were their competence is not only open to serious question, but a high degree of incompetence is decisively demonstrated. On the other hand the spurious testimony

may have been deliberately contrived. What reasonable motives could justify the degrading of a circuit court of the State with lies is difficult to conceive. The consequences of this reckless prevaricating have resulted not only in an even more inequitable redistribution of the tax load, but has irrevocably disgraced the metropolitan government of Dade County.

EXCERPT FROM BRIEF OF APPELLANT IN DISTRICT COURT OF APPEAL OF FLORIDA, THIRD DISTRICT

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EXHIBIT D TO COMPLAINT

Notice of Intent to Sue Dated August 27, 1962

(Seal)

Board of County Commissioners

METROPOLITAN DADE COUNTY-FLORIDA

1017 Courthouse , Miami 32, Florida FRanklin 7-1911
Robert M. Brake
Commissioner

August 27, 1962

The Miami Herald
200 South Miami Avenue
Miami, Florida

Attention Mr. Don Shoemaker

Gentlemen:

Re: Editorial Retraction

I have seen the editorial printed by you on page 1-A of the City Edition of the Miami Herald on Sunday, August 26, 1962. Request is hereby made under the provisions of Florida Statutes 770.02 to make a retraction concerning myself as to the following matters:

1. You state that "this newspaper knows of a certainty that Friday's shady business was long planned by the ringleaders." This statement is false as concerns myself and is known by the personnel of your newspaper to be false. I call your attention to the story on page 1-C of your City Edition for Saturday, August 25, 1962, and 18-C of the early edition of your Sunday newspaper. Mr. George Lardner, your courthouse reporter, was present at a luncheon meeting attended by Mr.

Long, Mr. Hall, Mr. Boyd and myself. He stated in his story that Mr. Long "was sounding out views." He also reported that I told Mr. Long that I believed that what he wanted could be worked out informally with Mr. McNayr without the necessity of a resolution. I am sure Mr. Lardner will also confirm that I told Mr. Long that I was of the opinion that if Mr. Long's resolution, which he had tried to introduce that morning, came to a vote, and any substantial vote was cast in favor of it, then Mr. McNayr would resign. Mr. Hall agreed with my position, and we both requested Mr. Long to ask for an informal meeting rather than to present a resolution.

Mr. Lardner was also present at a conversation between Mr. Patten, Mr. Winston Wynne and myself on the courthouse steps after the Commission meeting broke up. At that time I explained to Mr. Wynne that I had left the meeting for the following reasons:

First, the meeting had formally adjourned, and we were in an informal discussion. As was to be expected, hot words had resulted, and I believed that time was needed for the principals to reflect upon the discussion and make decisions free from the heat of the moment. I further stated that I believed that a formal meeting was not only inadvisable, but illegal inasmuch as a majority of the Commission had not waived formal notice of the meeting. Since the business of the day was finished, I felt nothing could be accomplished by remaining so I left.

I am sure that you will agree that my actions on Friday were not "long planned" with anyone, but were taken by myself as each situation arose with a view to encouraging harmony on the Commission and between the Commission and the County Manager.

2. You call this conduct "petty and childish". Even if a special formal meeting of the Commission had been called legally, a walkout to prevent a quorum is a time-honored, historical, parliamentary technique. It is used not only to prevent an otherwise illegal meeting, but also to allow tempers to cool and to prevent hasty action as well as to bring a new problem to the attention of the public so that citizens may express their views. Any statement to the contrary, must be made out of malice or ignorance of parliamentary, constitutional history. I wanted to prevent both Mr. McNayr and Mr. Long from taking precipitative action. Unfortunately, Mr. McNayr did not appreciate what I was doing for him.

3. Your editorial states that I am "proposing to unload all manner of hacks and has-beens on Metro for managerial position." I have not named any person, and have no one specifically in mind for this position. I have, however, noted that the names of several men, whom I regard as outstanding, have been mentioned. Do you think, for example, that Mr. Ira "Dutch" Willard, the former City Manager of both Coral Gables and Miami, and the former President of the City National Bank of Coral Gables, is a "hack or a has-been?"

I believe that a county manager should be above politics so that regardless of political shifts, he may continue as manager and provide a continuity of direction and service to the government. If a manager becomes a spokesman for any political group, even if it should be a majority of the Commission, he exposes himself to the danger of forcible removal should such group fail to be re-elected. The Cities of Coral Gables and Miami Beach, among others, have seen many stormy, political battles within their respective Commissions, and yet their City Managers have had long tenure. The reason is because they have re-

frained from political activity. I agree with the editorial in last Thursday's Coral Gables Times, one of your subsidiaries, that certain members of the Commission have in the past advocated their own roles of leadership and pushed Mr. McNayr to the fore as a spokesman for Metro. I agree that this has compromised his position. I think both he and Dade County would be better served if he, or any county manager, would remain above politics. I, for one, am ready to accept my responsibility as a Commissioner for defending this government, and I believe that by doing so, and that by letting the manager stay in the background, we will all have a better Metro Government.

I respect your right to disagree with my actions. I do not, however, believe that you should falsify my actions and cast aspersions upon my motives. These aspersions were false, and this was known by the personnel of your paper to be false. I hereby request that you retract these statements and present a clarification of my stand to your readers.

Very truly yours,

Robert M. Brake
County Commissioner

RMB/ns

EXHIBIT F TO COMPLAINT

Notice of Intent to Sue Dated September 17, 1962

September 17, 1962

Mr. Don Shoemaker, Editor
The Miami Herald
200 South Miami Avenue
Miami, Florida

Dear Mr. Shoemaker:

I am in receipt of your letter of August 31, 1962, replying to my letter of August 27, 1962, in reference to your editorial on the front page of the City Edition of the Miami Herald on Sunday, August 26, 1962.

As I stated in my previous letter, I agree that your newspaper has a right to comment fairly upon my actions as a public official. I also agree that I have no quarrel with the news articles in your paper.

However, in order to give your editorials a qualified privilege under the fair comment rule, they must be based upon true statements of fact; must be confined to comments on the matter itself; and must not descend to personal attacks on the private character or impute unworthy motives to those who are the object of your criticism. In this regard, may I recommend for your consideration the opinion of the Third District Court of Appeal of Florida in the case of Miami Herald Publishing Company vs. Brautigam, 127 So 2d 718 (particularly the columns on pages 722 and 723).

As I pointed out in my prior letter, your editorial of August 26th not only is defamatory in implying that my conduct was founded on base motives, but also because of

at least three misstatements of fact made by you in the editorial, to-wit:

1) That there was a conspiracy and that I was a party to it.

2) That causing the lack of quorum was "petty and childish" when in fact it is a time-honored parliamentary device used to prevent a minority (in this case a minority of 6) from taking action which might not command a majority if the absent members of the Commission were present; and

3) That I proposed to unload "hacks and hasbeens" on Metro for the managerial position when I had in fact not mentioned any person.

In addition to this defamatory editorial, you subsequently defamed my character by a cartoon published on August 29, 1962, depicting myself and other Commissioners as small boys attempting to steal a pie from a window sill. This cartoon was published subsequent to receipt by you of my prior letter. The imputation of the cartoon that I attempted to steal from the people of Dade County is clearly libellous per se.

May I respectfully correct another mistake of fact made by you in your letter. You stated that the lengthy interview story published on August 28, 1962, in which my views were printed, was done by you prior to receiving my letter of August 27th. On the contrary, I delivered a copy of the letter to Mr. George Lardner of your paper at the time of the interview at noon on Monday, August 27th; and I delivered the original to your office at 4:00 P.M. that day. The interview was not published until the City Edition of your paper came out early Tuesday, which was more than twelve hours after your paper received a copy of my letter and almost twelve hours after it was delivered to your office.

May I also respectfully point out that the printing of my views in an interview is not the equivalent of a retraction under Florida Statutes, Chapter 770. The public is still left with your personal imputation of bad motives on my part, and is still under the impression that you have "facts" proving that I was part of a conspiracy when, in fact, you know that I was not.

This is especially damaging to a professional man. As Abraham Lincoln said, "A lawyer's time and advice are his stock in trade." A lawyer's advice is valued in proportion to his reputation for integrity, maturity, and ability. The false accusations and imputations of your editorial have unfairly and unjustly damaged my professional standing in this community.

I place a high value on the good will of your newspaper and of your newspaper readers. During my campaign for County Commissioner, I diligently sought your endorsement. I felt honored by the complimentary editorial endorsements which you gave me on Thursday, May 3, 1962, and Tuesday, May 22, 1962. You can imagine my shock and surprise when I found that, without even consulting me to find out exactly what I had done, and why I had done it, you printed an editorial falsifying my actions and imputing base motives to me; and when you later followed this up with a cartoon imputing that I was attempting to steal from the people of Dade County.

I do not insist that you agree with me that a manager should be politically neutral. Neither do I demand that you agree with me that it was unfair and unwise of Mr. McNayr to demand that the Commission take a vote after heated debate during an informal meeting which was called with the understanding that no vote would be

taken. I do not ask you to agree with me that causing the lack of quorum seemed, at the time, to be a good method to allow tempers to cool and to prevent the taking of unwise action in the heat of passion which a full majority of the Commission might not like (especially where a suitable basis for agreement had previously been reached and then been forgotten by all concerned). I do, however, expect that you will not impute base motives to me merely because of my actions have displeased you.

I do not intend to be the type of person who cries "foul" at every criticism offered by a newspaper. Neither do I intend to be the type of person who is constantly fighting newspapers or newspaper editors. I do, however, believe that your editorial of August 26th, and your cartoon of August 29th, went beyond the bounds of fair comment and are contrary to the facts as known by your newspaper. I expect that you, as a fair minded man, will wish to correct these erroneous impressions in your newspaper by publishing a retraction correcting the misstatements of fact and withdrawing the charge of base motives as to myself. I am, therefore, respectfully requesting you to take such action. This request is made pursuant to Florida Statutes, Chapter 770.02

Very truly yours,

Robert M. Brake

RMB:pb

P.S. If, in the future, you have any questions concerning my actions or my motives, I will be most happy to discuss them fully and at length with you personally. I would also welcome an interview with you to explain my actions and views in the above matter.

RMB

EXHIBIT T TO COMPLAINT

Notice of Intent to Sue Dated August 25, 1964

ROBERT M. BRAKE
Attorney at Law
1830 Ponce De Leon Boulevard
Coral Gables, Florida

Eileen Murphy Brake HI 6-2577

August 25, 1964

Mr. Fred Sherman and
The Miami Herald
1 Herald Plaza
Miami, Florida

Sir:

Your editorial of Tuesday, August 25, 1964, entitled "Darrey Davis and Mister Brake" is libellous and demand is hereby made upon you for a retraction under Florida Statutes Chapter 770. Your attention is specifically called to the following:

1. You have impugned my ability as a lawyer and my honesty by saying:

"Bob Brake is a lawyer and he should know the law . . . The Anti-Metro petitions now being circulated promise that the state law on the assessment of real estate will not be enforced. Could anything be more dishonest?"

Your statement is "more dishonest". Nowhere in the petition is there anything stating—or even implying—that state law will not be enforced. *You knew this* because we gave a copy of the petition to your reporter, Pete Weitzel, on August 4, 1964, when the form was approved by the County Commission. Yet you ignored the truth to libel me.

2. You have impugned my integrity as a public office holder by implying that I did nothing to bring about a fair tax roll during my term of office. You state,

"Where was Bob Brake and what was he doing as a Metro Commissioner to make Dade County comply with the Florida assessment law?"

I did not have anything to do with the 1962 roll. Even the Board of Equalization hearings were finished before I took office on July 31, 1962. Many times during my term of office the Commission questioned Mr. McNayr about his progress in preparing a fair and equal tax roll. He always assured us that he was diligently working at this. At the close of the Board of Equalization hearings in 1963, it was apparent to Mr. Hughlan Long and myself that the piecemeal reassessment program of the manager was unfair to the minority who had been reassessed. We objected to that procedure but received no support on the Commission—and none whatsoever from you. Finally, in November, 1963, I voted to have the Hunnicut firm study our tax roll and assessing procedures. Unfortunately the study was not completed until after I left office, but it completely vindicated me in my stand.

You knew this because your reporters attended every commission meeting during my term of office. Yet you ignored the truth to libel me.

3. Your editorial is not even fair comment on my statement of August 20, 1964.

I criticized County Attorney Thomas Britton's memorandum dated August 3, 1964. This memo states that the *cause* of the doubling of the tax roll is the June 28, 1964, order of Judge Smith. It implies that our county officials are not responsible for the doubled roll.

I pointed out that this implication is wrong. The testimony of our county officials gave Judge Smith no choice. *They caused* the doubling of the tax roll because they

". . . testified that just value of property may be accomplished by doubling the present values fixed on the tax roll . . ." (Judge Smith's order of June 29, 1964)

This is directly contrary to the Hunnicut report, which stated in no uncertain terms that

"No equality of assessments could be expected as a result of such a program." (p. 44)

The report further stated that the tax roll had "widely varying differentials in assessments."

Even Mr. Darrey Davis in your article of August 22, 1964, admitted that the tax roll was unequal, when he said

"I think it is accurate to say that the county was making good progress in achieving a proper tax roll. *But it failed to reach this objective . . .*'

Yet our County officials

"testified that the widest variance would be five percent in this County. Whether that be true or not I do not know. He testified from three to five percent." (Judge Smith's ruling, August 10, 1964).

Neither you nor Mr. McNayr nor any of the members of the "first stable commission government Dade has had since Metro was created" have seen fit to discuss these facts. Instead, you have engaged in a program of personal vilification of me.

"Could anything be more dishonest" than your actions? I dont' think so.